

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-050029

03/09/2006

HON. JOHN REA

CLERK OF THE COURT  
M. MINKOW  
Deputy

FILED: 03/13/2006

IN RE THE MARRIAGE OF  
RICHARD KLEIN

FLORENCE BRUEMMER

AND

KARI KLEIN

CRAIG J SIMON

ALTERNATIVE DISPUTE  
RESOLUTION - CCC  
CONCILIATION SERVICES-CCC

MINUTE ENTRY

2:17 p.m. Courtroom 108. This is the time set for Resolution Management Conference. Petitioner is present and represented by above-named counsel. Respondent is present and represented by counsel, Jeff Biddle, appearing on behalf of above-named counsel.

A recording of this proceeding is being made by CD (FTR) in lieu of a court reporter.

Richard Klein and Kari Klein are sworn and testify and counsel proceed by avowal.

The Court is advised that the parties agree as follows:

1. Mother shall have parenting time with Rikelle every other weekend from Friday after school to Sunday at 6:00 p.m. and Monday and Wednesday from 4:00 p.m. to 8:00 p.m.
2. The land in Montana is awarded to Wife as her sole and separate property.

IT IS ORDERED, on a temporary basis, that Mother shall pay child support for the minor children to Father in the amount of \$678 per month effective March 1, 2006. This order is without prejudice to either party proving that a different child support amount is appropriate and also without prejudice to any request for an ultimate child support amount being applied retroactive to the time of separation.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-050029

03/09/2006

Pursuant to the request for a referral to Alternative Dispute Resolution, the Court obtains a date for a settlement conference with Alternative Dispute Resolution.

IT IS ORDERED affirming the settlement conference set for May 24, 2006, at 9:30 a.m., before Judge *Pro Tempore* Zelina Kersting. Counsel and/or the parties should not contact ADR directly.

IT IS FURTHER ORDERED the parties are referred to Conciliation Services for a Parenting Conference including open negotiations as appropriate. The parties shall comply with all instructions and directives issued by Conciliation Services.

IT IS FURTHER ORDERED that each party is directed to immediately go to Conciliation Services and complete necessary forms following this hearing. This Court has contacted Conciliation Services and set the initial Parenting Conference for May 4, 2006, at 8:00 a.m. in Conciliation Services at Northeast Regional Court Center, 18380 North 40th Street, Phoenix, Arizona.

Additionally, the Court requests that Conciliation Services interview the children. The parties will be advised, at the Parenting Conference, of the date and time for the interview of the children. The parties should not bring the children to the Parenting Conference.

WARNING

YOU WILL HAVE TO PAY A \$200 FEE IF YOU DO NOT ATTEND THE PARENTING CONFERENCE SESSION. IF YOU CANNOT ATTEND, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AND RECEIVE PERMISSION TO RESCHEDULE AT LEAST THREE FULL COURT DAYS BEFORE THE SESSION.

IF YOU REACH A FULL AGREEMENT ABOUT CUSTODY AND PARENTING TIME AND DO NOT PLAN TO COME TO THE PARENTING CONFERENCE SESSION, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AS SOON AS POSSIBLE OF THE SETTLEMENT TO AVOID PAYING THIS FEE.

IT IS FURTHER ORDERED setting a Pretrial Conference on **June 5, 2006, at 2:00 p.m., for 30 minutes**, in this Division at Northeast Regional Court Center, 18380 North 40th Street, Courtroom 108, Phoenix, Arizona.

IT IS FURTHER ORDERED setting Trial to the Court on **June 28, 2006, at 9:00 a.m., for 1 day**, in this Division at Northeast Regional Court Center, 18380 North 40th Street, Courtroom 108, Phoenix, Arizona.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-050029

03/09/2006

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to trial setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

IT IS ORDERED that the parties shall file and provide this Division with a copy of a Joint Pretrial Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 20 days prior to trial.

IT IS FURTHER ORDERED that the Joint Pretrial Statement shall include:

1. A current Affidavit of Financial Circumstances completed by each party.
2. If there are disputed custody, access or visitation issues, a specific proposal for custody and parenting time.
3. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.
5. If there are disputed issues regarding division of property, a current and detailed Inventory of Property and Debts, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.
6. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
7. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. §25-318(H).
8. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of Rule 78(D), Arizona Rules of Family Law Procedure.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-050029

03/09/2006

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

IT IS FURTHER ORDERED that, if either party has more than 5 exhibits to be marked, they shall be delivered to the Clerk of this Division no later than five (5) Court business days prior to the hearing. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits. Exhibits submitted to the Clerk shall be separated one from the next with a numbered, blank, colored sheet of paper or a tabbed-number sheet. A numbered exhibit list with a brief description of each exhibit shall also be submitted. All exhibits presented shall have been exchanged between the parties.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

IT IS FURTHER ORDERED that any party filing a request for findings of fact and conclusions of law pursuant to Rule 82, Arizona Rules of Family Law Procedure, shall submit proposed findings of fact and conclusions of law to this Division no later than 30 days prior to trial. Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure.

Continuances, postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

IT IS ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49 and 50, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits thirty (30) days prior to the trial set below.

2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed no later than fifteen (15) days prior to the trial set below.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-050029

03/09/2006

3. Counsel and both parties shall personally meet, face to face, at least ten (10) days prior to trial to conduct settlement discussions, prepare a Joint Pre-trial Statement, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.

4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

**NOTICE:** A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by Conciliation Services or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

2:41 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.